

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** Chairman Jim Shockley, on February 18, 2009 at 3:00 P.M., in Room 335 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Jim Shockley, Chairman (R)  
Sen. John Brueggeman, Vice Chairman (R)  
Sen. Keith Bales (R)  
Sen. Joe Balyeat (R)  
Sen. Jerry W. Black (R)  
Sen. John Brenden (R)  
Sen. Mike Cooney (D)  
Sen. Carolyn Squires (D)  
Sen. Joseph (Joe) Tropila (D)  
Sen. Jonathan Windy Boy (D)

**Members Excused:** Sen. Larry Jent (D)

**Members Absent:** None.

**Staff Present:** Dave Bohyer, Legislative Branch  
Libby Goodwin, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 469, 2/11/2009; SB 474,  
2/11/2009

Executive Action: SB 199, SB 469, SB 474, SB 367

**HEARING ON SB 474**

00:00:45 **Opening Statement by Sponsor:** Sen. Aubyn Curtiss (R), SD 1, opened the hearing on SB 474, Require documentation of federal candidate qualifications with US Constitution.

**Proponents' Testimony:**

00:07:19 None

**Opponents' Testimony:**

00:07:23 None

**Informational Testimony:**

00:07:28 None

**Questions from Committee Members and Responses:**

00:07:53 Sen. Balyeat  
00:07:59 Sen. Cooney  
00:08:33 Chairman Shockley  
00:08:40 Sen. Cooney  
00:09:48 Lisa Kimmett, Commissioner of Political Practices  
Office (COPP)  
00:09:56 Sen. Cooney  
00:10:07 Ms. Kimmett, COPP  
00:10:42 Sen. Cooney  
00:11:08 Ms. Kimmett, COPP

00:11:34 **Closing by Sponsor:** Sen. Curtiss

**HEARING ON SB 469**

00:13:14 **Opening Statement by Sponsor:** Sen. John Brueggeman (R), SD 6, opened the hearing on SB 469, Revise primary election laws.

**Proponents' Testimony:**

00:18:49 None

**Opponents' Testimony:**

00:18:52 None

**Informational Testimony:**

00:19:04 None

**Questions from Committee Members and Responses:**

00:19:07 Sen. Balyeat  
00:20:55 Sen. Brueggeman  
00:22:21 Sen. Balyeat  
00:23:47 Sen. Brueggeman  
00:25:43 Sen. Balyeat  
00:26:17 Sen. Brueggeman  
00:27:17 Sen. Balyeat  
00:28:02 Sen. Brueggeman

00:28:18 **Closing by Sponsor:** Sen. Brueggeman

**EXECUTIVE ACTION ON SB 199**

00:32:02 **Motion:** Sen. Cooney moved that **SB 199 DO PASS AS AMENDED.**

**Discussion:**

00:32:18 Sen. Cooney  
00:36:03 Sen. Tropila  
00:36:15 Sen. Bales  
00:36:24 Sen. Balyeat  
00:36:56 Sen. Cooney  
00:37:16 Sen. Balyeat  
00:37:43 Chairman Shockley

00:38:59 **Motion:** Sen. Balyeat moved that **SB 199 BE CONCEPTUALLY AMENDED.**

00:39:05 Sen. Cooney  
00:39:11 Chairman Shockley  
00:39:16 Sen. Cooney  
00:39:26 Chairman Shockley  
00:39:36 Dave Bohyer  
00:39:55 Sen. Brenden  
00:40:31 Chairman Shockley  
00:40:41 Sen. Cooney

00:40:55 Sen. Balyeat withdrew the motion.

00:41:13 Sen. Bales  
00:41:31 Chairman Shockley

00:41:45 Sen. Cooney  
00:42:21 Chairman Shockley  
00:42:28 Sen. Cooney

00:43:33 **Motion:** Sen. Cooney moved that **SB 199 BE AMENDED.**  
**EXHIBIT(sts38a01)**

00:43:40 **Vote:** Motion carried unanimously by voice vote. Sen.  
Jent voted by proxy.

00:44:10 **Vote:** Motion carried 10-1 by voice vote with Sen.  
Brenden voting no. Sen. Jent voted by proxy.

**EXECUTIVE ACTION ON SB 469**

00:45:26 **Motion:** Sen. Brueggeman moved that **SB 469 DO PASS.**

**Discussion:**

00:45:38 Sen. Brenden  
00:47:06 Sen. Cooney  
00:51:06 Sen. Balyeat  
00:52:35 Chairman Shockley  
00:52:55 Sen. Windy Boy  
00:53:58 Sen. Black  
00:56:02 Sen. Bales  
00:57:51 Sen. Black  
00:58:07 Sen. Brueggeman

01:02:05 **Vote:** Motion failed 5-6 by roll call vote with Sen.  
Black, Sen. Brueggeman, Sen. Shockley, Sen. Squires,  
and Sen. Tropila voting aye. Sen. Jent voted by proxy.

01:03:05 Sen. Balyeat

01:03:08 Chairman Shockley, without objection from the  
committee, tabled the bill and reversed the vote.

**EXECUTIVE ACTION ON SB 474**

01:03:43 **Motion:** Sen. Squires moved that **SB 474 DO NOT PASS.**

01:03:51 **Substitute Motion:** Sen. Brueggeman moved that **SB 474**  
**DO PASS.**

01:04:01 Sen. Brueggeman withdrew the motion.

01:04:09 Sen. Squires withdrew the motion.

01:04:17 **Motion:** Sen. Brueggeman moved that **SB 474 DO PASS.**

01:04:22 Sen. Cooney

01:06:34 Sen. Balyeat

01:10:14 Chairman Shockley

01:11:00 Sen. Balyeat

01:12:50 **Vote:** Motion failed 2-9 by roll call vote with Sen. Balyeat and Sen. Brenden voting aye. Sen. Jent voted by proxy.

01:13:39 Chairman Shockley, without objection from the committee, tabled the bill and reversed the vote.

01:11:17 Sen. Tropila

01:11:29 Sen. Brueggeman

01:11:45 Sen. Balyeat

#### **EXECUTIVE ACTION ON SB 367**

01:14:19 **Motion:** Sen. Brueggeman moved that **SB 367 DO PASS.**

#### **Discussion:**

01:14:39 Sen. Cooney

01:18:15 Sheryl Wood, Montana Association of Counties (MACo)

01:20:09 Sen. Bales

01:21:14 Ms. Wood, MACo

01:21:47 Sen. Cooney

01:22:19 Dave Bohyer

**EXHIBIT**(sts38a02)

00:22:49 **Motion:** Sen. Tropila moved that **SB 367 BE AMENDED.**

01:23:04 Sen. Squires

01:24:02 Dave Bohyer

01:27:23 Sen. Balyeat

01:27:49 **Substitute Motion:** Sen. Balyeat moved that **SB 367 AMENDMENTS BE CONCEPTUALLY AMENDED.** (Exhibit 1, Page 2, Number 10: Strike "2011", Insert: "2012")

01:28:55 Sen. Cooney

01:29:13 Chairman Shockley

01:29:22 Sen. Bales

01:30:38 Chairman Shockley

01:31:30 **Vote:** Motion carried unanimously by voice vote. Sen. Jent voted by proxy.

01:31:46 **Motion:** Sen. Cooney moved that **SB 367 DO PASS AS AMENDED.**

01:31:58 Sen. Bales

01:32:41 Chairman Shockley

01:32:49 Sen. Brueggeman

01:33:11 Chairman Shockley

01:33:19 Sen. Bales

01:33:37 Dave Bohyer

01:34:20 Sen. Bales

01:33:26 Dave Bohyer

01:33:30 Sen. Bales

01:34:53 Sen. Brueggeman

01:35:12 Chairman Shockley

01:35:46 Sen. Bales

01:36:49 Sen. Balyeat

01:37:20 Sen. Squires

01:39:17 Sen. Tropila

01:39:32 Chairman Shockley

01:40:08 Sen. Balyeat

01:40:21 Chairman Shockley

01:40:44 Sen. Tropila

01:40:50 Sen. Cooney

01:41:24 Chairman Shockley

01:42:04 Sen. Cooney withdrew the motion.

**ADJOURNMENT**

Adjournment: 5:00 P.M.

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Libby Goodwin, Secretary

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Additional Documents:

**EXHIBIT ([sts38aad.pdf](#))**